

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Norman Bourgeois CONFIRMATION NO: 1805  
SERIAL NO.: 09/838,091 GROUP ART UNIT: 1761  
FILED: 04/19/2001 EXAMINER: Simone, Timothy F.  
FOR: "Gas Fired Outdoor Cooking Apparatus"

\* \* \* \* \*

AMENDMENT UNDER 37 C.F.R. § 1.312(a)

Commissioner of Patents  
and Trademarks  
Washington, D.C. 20231

Sir:

Applicants respectfully request entry of the following amendments, which are believed to be needed for removal of antecedent basis issues regarding four of the claims and which require no substantial amount of additional work on the part of the Patent and Trademark Office.

Please amend the application as follows:

IN THE CLAIMS:

Please rewrite the claims to read as follows (a marked-up version of the amended claims is included in Appendix A).

1.(Amended) A cooking apparatus, comprising:

a) a burner having a frame that includes a base for engaging an underlying support surface, the frame having a burner element for generating a high intensity flame for



use in cooking, a supply hose for supplying propane to the burner element, the burner frame having a support surface for cradling a pot;

- b) a pot that includes a generally flat bottom portion and a generally cylindrically shaped continuous sidewall, the pot having a generally cylindrically shaped interior;
- c) the frame including a plurality of at least three struts, each strut including a first strut portion, a second strut portion and a third strut portion, the first strut portion of each strut being generally parallel with the bottom portion of the pot, the second strut portion of each strut extending in a generally vertical direction from the first strut portion, the third strut portion extending downwardly from the first strut portion;
- d) at least a portion of each of the first strut portions extending underneath the bottom portion of the pot when the pot is placed on the frame; and
- e) the second strut portions restricting a range of lateral pot movement during use of the cooking apparatus such as when a food to be cooked is inserted into or removed from the pot.

34.(Amended) A cooking apparatus, comprising:

- a) a burner having a frame that includes a base for engaging an underlying support surface, the frame having a burner element for generating a high intensity flame for use in cooking, the burner frame having a support surface for cradling a pot;
- b) a pot that includes a generally flat bottom portion and a generally cylindrically shaped

continuous sidewall, the pot having a generally cylindrically shaped interior; and

- c) the frame including a plurality of struts that each include a plurality of strut portions, one of the strut portions extending upwardly along a generally vertical path, another of the strut portions extending horizontally to provide a horizontal surface that can cradle the bottom of the pot, another strut portion providing a downwardly extending leg;
- d) wherein the struts provide a lateral restraint structure for preventing tilting or lateral movement of the pot such as when the liner is inserted into or removed from the pot.

50.(Amended) A cooking apparatus, comprising:

- a) a frame that includes a base for engaging an underlying support surface, the frame having a burner element for generating a high intensity flame for use in cooking, and a supply hose for supplying fuel to the cooking element;
- b) a pot that includes a generally flat bottom portion and a generally cylindrically shaped continuous sidewall, the pot having a generally cylindrically shaped interior;
- c) the burner frame including a plurality of struts that include first, second strut portions that closely conform respectively to the bottom portion and side wall of the pot, the second strut portion extending horizontally to provide a horizontal surface that can cradle the bottom of the pot and the first strut portion extending upwardly along a generally vertical path;
- d) wherein the struts form a lateral restraint to the pot for limiting lateral movement of the pot such as when the liner is inserted into or removed from the pot; and

- e) each strut including a leg portion that extends well below the burner element.

57.(Amended) A cooking apparatus, comprising:

- a) a frame having a base for engaging an underlying support surface;
- b) a pot supported by the frame during use and having a side wall, a bottom and an open

top;

- c) a burner element for generating a high intensity flame for use in cooking;
- d) a supply hose for supplying pressurized fuel gas to the burner;
- e) the burner frame including a plurality of struts, each strut including generally vertical and generally horizontal strut portions, each vertical strut portion extending upwardly along a generally vertical path that is generally parallel to the pot side wall and each horizontal strut portion extending horizontally to engage the pot bottom; and
- f) wherein each strut includes an inclined section.

#### REMARKS

The claims have been amended to remove potential antecedent basis issues. No new matter has been added to the application.

Applicant respectfully petitions the Commissioner for any extension of time necessary to render this amendment timely filed.

Please charge any additional fees due or credit any overpayment to Deposit Account No.

50-0694.

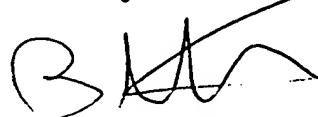
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**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, on May 1, 2002.



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APPENDIX A – AMENDMENTS

This Appendix includes bracketed and underlined versions of the amendments requested.

IN THE CLAIMS:

Please rewrite the claims as to read as follows (brackets show deletions and underlining show additions).

1.(Amended) A cooking apparatus, comprising:

- a) a burner having a frame that includes a base for engaging an underlying support surface, the frame having a burner element for generating a high intensity flame for use in cooking, a supply hose for supplying propane to the burner element, the burner frame having a support surface for cradling a pot;
- b) a pot that includes a generally flat bottom portion and a generally cylindrically shaped continuous sidewall, the pot having a generally cylindrically shaped interior;
- c) the frame including a plurality of at least three struts, each strut including a first strut portion, a second strut portion and a third strut portion, the first strut portion of each strut being generally parallel with the bottom portion of the pot, the second strut portion of each strut extending in a generally vertical direction from the [second]first strut portion, the third strut portion extending downwardly from the [second]first strut portion;

- d) at least a portion of each of the first strut portions extending underneath the bottom portion of the pot when the pot is placed on the frame; and
- e) the second strut portions restricting a range of lateral pot movement during use of the cooking apparatus such as when a food to be cooked is inserted into or removed from the pot.

34.(Amended) A cooking apparatus, comprising:

- a) a burner having a frame that includes a base for engaging an underlying support surface, the frame having a burner element for generating a high intensity flame for use in cooking, the burner frame having a support surface for cradling a pot;
- b) a pot that includes a generally flat bottom portion and a generally cylindrically shaped continuous sidewall, the pot having a generally cylindrically shaped interior; and
- c) the frame including a plurality of struts that each include a plurality of strut portions, one of the strut portions extending [downwardly]upwardly along a generally vertical path, another of the strut portions extending horizontally to provide a horizontal surface that can cradle the bottom of the pot, another strut portion providing a downwardly extending leg;
- d) wherein the struts provide a lateral restraint structure for preventing tilting or lateral movement of the pot such as when the liner is inserted into or removed from the pot.

50.(Amended) A cooking apparatus, comprising:

- a) a frame that includes a base for engaging an underlying support surface, the frame having a burner element for generating a high intensity flame for use in cooking, and a supply hose for supplying fuel to the cooking element;
- b) a pot that includes a generally flat bottom portion and a generally cylindrically shaped continuous sidewall, the pot having a generally cylindrically shaped interior;
- c) the burner frame including a plurality of struts that include first, second strut portions that closely conform respectively to the bottom portion and side wall of the pot, the

second strut portion extending horizontally to provide a horizontal surface that can cradle the bottom of the pot and the first strut portion extending [downwardly]upwardly along a generally vertical path;

- d) wherein the struts form a lateral restraint to the pot for limiting lateral movement of the pot such as when the liner is inserted into or removed from the pot; and
- e) each strut including a leg portion that extends well below the burner element.

57.(Amended) A cooking apparatus, comprising:

- a) a frame having a base for engaging an underlying support surface;
- b) a pot supported by the frame during use and having a side wall, a bottom and an open top;
- c) a burner element for generating a high intensity flame for use in cooking;
- d) a supply hose for supplying pressurized fuel gas to the burner;
- e) the burner frame including a plurality of struts, each strut including generally vertical and generally horizontal strut portions, each vertical strut portion extending [downwardly]upwardly along a generally vertical path that is generally parallel to the pot side wall and each horizontal strut portion extending horizontally to engage the pot bottom; and
- f) wherein each strut includes an inclined section.